

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**PARKERSBURG DIVISION**

LLOYD DALE BUCKHANNON,

Plaintiff,

v.

CIVIL ACTION NO. 6:07-cv-00529

DETECTIVE DECKER MOODY, et al.,

Defendants.

**ORDER**

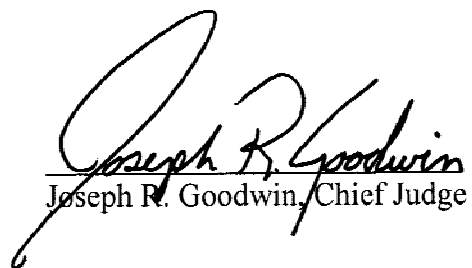
Pending before the court is the plaintiff's Complaint for relief under 42 U.S.C. § 1983 [Docket 2], Motion to Proceed *In Forma Pauperis* [Docket 1], and Motion for Default Judgment [Docket 5]. This action was referred to the Honorable Mary E. Stanley, United States Magistrate Judge, for submission to this court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted findings of fact and has recommended that the court deny the motion to proceed *in forma pauperis*, dismiss the Complaint, and deny the motion for entry of default judgment.

The plaintiff timely filed written objections to the Magistrate Judge's findings of fact and recommendation. Having reviewed the plaintiff's objections *de novo*, the court **FINDS** that they are without merit. Accordingly, the court adopts and incorporates herein the findings and recommendation of the Magistrate Judge, and hereby **DENIES** the plaintiff's Motion to Proceed In Forma Pauperis, **DENIES** the petitioner's Motion for Default Judgment, and **DISMISSES** the

Complaint. The Plaintiff's Motion to Withdraw the Motion for Entry of Default Judgment is **DENIED** as moot.

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: June 11, 2008



Joseph R. Goodwin, Chief Judge